

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

Emanuel T. Newman,
Plaintiff,

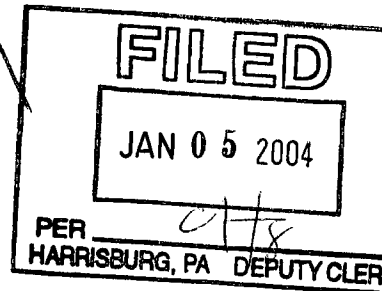
ORIGINAL

Case no. 1:CV-01-0677

-Vs-

Ronald L. Jury, SIS,
et al.,
Defendants,

(Judge, Conner)



PLAINTIFF'S REBUTTAL TO DEFENDANT'S RESPONSE TO
PLAINTIFF'S MOTION FOR SUBPOENA DUCES TECUMS TO ADD
AN ADDITIONAL WITNESS TO HIS WITNESS LIST AND TO CORRECT
INFORMATION ON ANOTHER

Comes Now, Emanuel Thomas Newman, plaintiff, and states
the following to this court in rebuttal to the defendant's response
to his motion as styled above.

In support thereof, Plaintiff states:

1). On December 9, 2003, plaintiff filed his response to
defendant's objections to his motion for multiple writs of habeas
corpus duces tecum ad testificandum.

2). On page three (3) of said motion, plaintiff states
that he will incur the necessary fees of \$40 per day, and sub-
mit the necessary Subpoenas for the seven (7) non-inmates witnesses.

3). Furthermore, plaintiff had already calculated the
cost of adding the additional witness into the \$280 amount that
he had cited to the court, and asked to court to waive all other
non-inmate witnesses that he previously listed, because he did not
expect the court/government to pay the witness fees for his non-
inmate witnesses just because he had been granted in forma parperis
status.

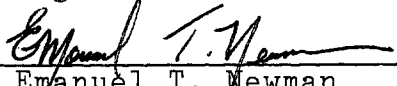
Therefore, the defendant's argument concerning this matter is moot.

4). Concerning the correction of name for the witness that was known to plaintiff as Dr. Whyatt to that of James Weyand. When plaintiff inquired of the medical staff of U.S.P. Allenwood in January of 2000, they (Dr.Lee.,M.D.) told plaintiff that the contract eye doctor who had examined him the day before was named Whyatt. It was not until defendant's revealed his name in one of their motions that plaintiff found that he had been mislead by the staff at U.S.P. Allenwood concerning this matter.

5). Plaintiff would also state that the witness fee for this witness was also included in the \$280 amount, and therefore, the defendant's argument concerning this matter is also moot.

6). Concerning the addition of Attorney K. Michael Sullivan this witness was also included in the \$280 calculation for witness fees, and once again the defendant's argument is moot.

Respectfully submitted by,


Emanuel T. Newman
13418-039
F.C.I. Oxford
P.O. BOX 1000
Oxford, Wis 53952-1000

Date: December 27, 2003.

CERTIFICATE OF SERVICE

I, Emanuel T. Newman do hereby state pursuant to 28 U.S.C. § 1746, that I have placed copies of this document into the U.S. mail to all of the parties concerned in this matter pending before the court. And
FURTHER I SAYETH NOT.

By, 
Emanuel T. Newman, Certifier.

12/27/03

COPIES TO: U.S. District court
228 Walnut Street.
Harrisburg, Pa 17703

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